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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,247	07/12/2004	Detlev Neuland	01/090LTS	5234
Propat 425-C South Sharon Amity Road Charlotte, NC 28211-2841			EXAMINER HELM, CARALYNNE E	
			ART UNIT	PAPER NUMBER
			1615	
			MAIL DATE	DELIVERY MODE
			07/24/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/501,247

Applicant(s)

NEULAND ET AL.

Examiner

CARALYNNE HELM

Art Unit

1615

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 7 is/are rejected.
- 7) ☒ Claim(s) 5-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

Applicants' arguments, filed April 11, 2008, have been fully considered but they are not deemed to be persuasive. In addition, applicant's arguments with respect to claims 1-3 and 5-7 have been considered but are moot in view of the new grounds of rejection.

Rejections and/or objections not reiterated from previous office actions are hereby withdrawn. The following rejections and/or objections are either reiterated or newly applied. They constitute the complete set presently being applied to the instant application.

Concerning a Foreign Priority Document

Applicant refers to a foreign priority document in the response to the previous action. Currently, there is no foreign priority document of record. Further, applicant has not claimed priority to a foreign document, but instead to the international PCT filing and US provisional application.

Claim Objections

Claims 5 and 6 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claims, or amend the claims to place the claims in proper dependent form, or rewrite the claims in independent form. The parent claim

Art Unit: 1615

recites a method detailing steps undertaken in the treatment of a carrier. The additional method steps recited in claims 5 and 6 do not address the carrier that is the subject of the method claimed. If applicant seeks to claim a method where action is taken on a carrier, film, and/or coating then a positive recitation of active steps within the method involving the film and/or coating would be required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wimberger et al (U.S. Patent No. 5,112,220)

Wimberger et al. teach a process where a paper web (carrier) is passed through a thermal treatment zone (dryer/drying tunnel) such that the solvent (contaminant) is evaporated and fed to an afterburner via a fan (controlled air circulation) (see column 1 lines 50-59, column 2 lines 66-68; instant claims 1 and 3). This process is taught to be applicable in the graphic arts industry where an ink (active agent containing film) has coated the paper web and applied a contaminating solvent to the paper carrier (see column 1 lines 15-21. The solvent removed was initially present as a film when in the

Art Unit: 1615

regions where ink was present, thus its removal could be interpreted as "peeling". The temperature of the air supplied to the dryer is taught to be $350^{\circ}\text{F} \pm 150^{\circ}\text{F}$ (see column 6 lines 6-7). This teaching indicates that 200°F (93°C) is within the envisioned temperature range and corresponds to "approximately 80°C " (see instant claims 2). The reference does not teach the time for the removal of essentially all of the solvent, but this variable would be influenced an optimized relative to the temperature of thermal treatment zone. At the time of the claimed invention, it would have been well within the purview of one of ordinary skill in the art to optimize such parameters as a matter of routine experimentation.

Claims 1 and 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wimberger et al. as applied to claims 1-3 above, and further in view of Joson (U.S. Patent No. 6,153,298).

Wimberger et al. make obvious a method where a paper web is sent through a thermal treatment zone such that contaminating solvent is removed and sent to an afterburner. This process is taught applicable in the graphics industry where the paper web is coated with an ink. (see column 1 lines 15-21). Wimberger et al. does not teach the application of a coating after the thermal treatment process. Joson teach that thermal lamination is the finish of choice in graphic arts to create and add luster to the completed print project (see column 1 lines 31-35). In this process a layer of thermoplastic polymer is applied (coated) to a printed medium (see column 3 lines 24-38; instant claim 7). It would have been obvious to one of ordinary skill in the art at the

Art Unit: 1615

time the invention was made to employ such a method after removal of solvent from the ink on the paper web so as not to distort the image created by the ink. Therefore claims 1 and 7 are obvious over Wimberger et al. in view of Joson.

Conclusion

No claim is allowed.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CARALYNNE HELM whose telephone number is

Art Unit: 1615

(571)270-3506. The examiner can normally be reached on Monday through Thursday 8-5 (EDT).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward can be reached on 571-272-8373. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Caralynne Helm/
Examiner, Art Unit 1615

/MP WOODWARD/
Supervisory Patent Examiner, Art Unit
1615